

1 BILL NO. S-82-01-07

2 SPECIAL ORDINANCE NO. S-05-82

3
4 AN ORDINANCE approving Change Order No. 1
5 for 323-80, Spy Run Interconnect, Federal
6 Grant No. C-180599-07 in connection with the
Board of Public Works

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
8 FORT WAYNE, INDIANA:

9 SECTION 1. That Change Order No. 1 for 323-80, Spy Run
10 Interconnect, Federal Grant NO. C-180599-07 to Waynesfield
11 Construction, Inc. in connection with the Board of Public Works,
12 for:

13 items are compensation for additional requirements
14 placed on the contractor in association with the
15 river crossing after the time of bid and additional
16 items to protect the river level where disturbed by
construction thus assuring compliance with our DHR
permit to do work in the river,

17 in the amount of \$31,424.20, as set out in the specifications, which
18 are on file in the Office of the Board of Public Works and are by
19 reference incorporated herein and made a part hereof, be and the
20 same is in all things ratified, confirmed and approved.

21 SECTION 2. That this Ordinance shall be in full force
22 and effect from and after its passage, approval by the Mayor.

23
24 
25 COUNCILMAN

26 APPROVED AS TO FORM AND
27 LEGALITY JANUARY 8, 1982

28
29 
30 BRUCE O. BOXBERGER, CITY ATTORNEY
31
32

Read the first time in full and on motion by Burns,
seconded by Stier, and duly adopted, read the second time
by title and referred to the Committee City of Fort Wayne (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 1-12-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Burns,
seconded by Stier, and duly adopted, placed on its
passage. PASSED ~~(lost)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	_____	<u>1</u>	_____
<u>BRADBURY</u>	<u>X</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>X</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	<u>✓</u>	_____
<u>SCHMIDT</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 1-26-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) NO. 205-82
on the 26th day of January, 1982.
ATTEST: (SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 27th day of January, 1982, at the hour of
11:30 o'clock P. M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 1st day of February
1982, at the hour of 9 o'clock A. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

BILL NO. S-82-01-07

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON City Utilities TO WHOM WAS REFERRED AN
ORDINANCE approving Change Order No. 1 for 323-80, Spy Run Inter-
connect, Federal Grant No. C-180599-07 in connection with the
Board of Public Works

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

PAUL M. BURNS - CHAIRMAN

MARK E. GIAQUINTA - VICE CHAIRMAN

JAMES S. STIER

JANET G. BRADBURY

ROY J. SCHOMBURG

1-26-82
DATE 1-26-82 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

CHANGE ORDER

12/23/81

Change Order No. 1
 Project No. C-180599-07
 Name of Project: Spy Run Interconnect

Resolution No. 323-80
 Board Order No. 16-80
 Date: 4/12/81

To: WAYNESFIELD CONSTRUCTION, INC.
 (Contractor)

Gentlemen:

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No.	Quantity	Description of Change	Unit Price	Change in Contract Price	
		Description		Decrease	Increase
12*	1± Ea.	Well-Point Removal and Replacement	Lump Sum		5,446.14
12	1± Ea.	Re-work Siphon Str. on Northside Dr.	Lump Sum		7,748.22
12*	1± Ea.	Additional Well-Point Rental	Lump Sum		3,400.00
12	54± CY	River Weights (poured concrete)	100.00		5,400.00
37	163± SY	Rip Rap (river crossing)	14.97		2,440.00
*Non-Grant Eligible				Total Decrease	
				Total Increase	
Net (Decrease) (Increase)				Contract Price	31,424.20

The sum of \$ 31,424.20 is hereby (added to) (~~deducted from~~) the total contract price and the final contract price shall be adjusted as follows:

Original Contract Price	\$ <u>1,099,410.00</u>
Current Contract Price Adjusted by Previous Change Order	\$ <u>1,099,410.00</u>
New Contract Price including this Change Order	\$ <u>1,130,834.20</u>

The time provided for completion in the contract for this project is (unchanged) (~~increased~~) (~~decreased~~) by -0- calendar days due to this Change Order. The date for completion of all work shall be N/A. Furthermore, this document shall become an amendment to the contract and all provisions of the contract shall apply hereto.

Recommended by: Chas. E. Gurney Chief Engineer Date 10/12/81
 Accepted by: Paul E. Wieg Contractor Date 12/4/81
 Approved by: Chas. A. Galt City Engineer Date 12/8/81
 Approved by: _____ Owner Date 12/23/81
Robert Anderson
Butch R. Collins
 Attested by: Sandra E. Kennedy Clerk Date 12/23/81

ATTACHMENT TO CHANGE ORDER

Item No.	Quantity	Description of Change Description	Unit Price	Change in Contract Price	
				Decrease	Increase
38	100± CY	Embankment	1.50		150.00
33	45± CY	Base Stabilization (#2 Stone)	12.70		5,715.00
39	1± EA	Raise Levee @ river	Lump Sum		1,124.84
			Total Decrease		
			Total Increase		31,424.20
Net (Decrease) (Increase)			Contract Price		31,424.20

Change Order No. 1

Resolution No. 323-80

Board Order No. 16-80

REQUEST AND JUSTIFICATION FOR CHANGE

1. Necessity for change: _____

SEE ATTACHED JUSTIFICATION

2. Will proposed change alter size of the project? Yes _____ No X

If yes, explain

3. Affect on operation and maintenance cost of this project:

These changes will have no increase in operations or maintenance costs.

Gregory J. Merrill 12/2/81
Project Engineer

JUSTIFICATION
SPY RUN STUDY AREA
RESOLUTION 323-80 - EPA C-180599-07 - B.O. 16-80

WAYNESFIELD CONSTRUCTION, INC., Contractor

Item #12 - Well-Point Removal and Replacement

During the course of construction on this Resolution, an inverted siphon was to be constructed. Within the specifications, no mention or restriction was placed on the time frame for this construction to take place, nor was there any mention about the annual Three Rivers Festival and subsequent activities which take place on the river. This activity and construction was realized to have a potential conflict once the project had been started in the spring. At that time, an effort between the Contractor and the City of Fort Wayne was initiated to coordinate the construction prior to the Festival activities. On the face of it this scheduling effort seem to have sufficient time for completion and the construction began.

The method of construction chosen by this contractor was to use an earth embankment coffer dam, thus making an open cut through his dam area. A perimeter of well points were placed around the dam, feeding one main discharge line into the downstream area. Prior to this construction, the City of Fort Wayne raised the rollers on the Hosey Dam, thus lowering the water elevation greatly.

During this time, while construction was to be taking place, we experienced 3 heavy to extremely heavy rainfalls which flooded the coffer dam and dewatering system, thus delaying construction for a period of one week minimum on each occasion. Time delays experienced due to the weather placed our completion schedule into direct conflict with the Festival and river activities.

At this point, a decision was made by the City to order the contractor out of the river and for him to remove all dewatering equipment so that any activity that was scheduled for the river would not sacrifice its safety due to materials or equipment placed there by our construction.

Attached herewith is a breakdown of time, material and equipment used or lost due to our decision. (Attachment "A").

Item #12 - Re-work Siphon Structure and Relay 24" Sanitary Sewer

The location of this siphon structure is in Northside Drive and this structure itself was constructed under Resolution No. 310-80 - Phase III. After review of the shop drawings for this siphon, structure and approval was made under the St. Joe contract an oversight took place by not supplying to Waynesfield Construction an approved set of those shop drawings. Not being aware of the differentials in the opening locations and elevations they constructed the river siphon to the original plans and didn't know any modifications had been approved until the actual excavation for the connections were opened in the field.

This change incorporates time, materials and equipment used to make the filed adjustments necessary to allow for proper functioning and installation. Along with this rework, a 24" sanitary sewer was encountered and found to be in direct grade conflict with our 3-barrel siphon, thus causing the siphon to be extended so the bends and fittings to be located between the 24" sanitary sewer and siphon structure.

Attached herewith is a breakdown of those costs incurred by this modification. (Attachment "B").

Item #12 - Additional Well-Point Rental

This item is directly related to the shutdown of construction on the river crossing during the Three Rivers Festival.

A breakdown of the costs incurred by the contractor is attached to this Change Order. (Attachment "C").

Item #12 - River Weights

At the time of the design of this river crossing siphon, the problem of buoyancy was not considered to be significant but with further investigation and realizing that there would be a period prior to acceptance where the siphon would be empty it was determined that weight would have to be added to counter balance the buoyant forces.

A determination was made to pour one solid cap of concrete over all three lines at once to add the needed weight.

The quantity needed to do this was 54± CY.

Item #37 - 38 - Rip Rap (River Crossing) - Raise Levee Elevation

In order to protect a new cut through a levee, which primary purpose is for flood protection it is the City's policy to restore that area to its original contours and add additional protection over the disturbed area by placing revetment trip rap. In the original bid item for this crossing, rap rap was not included, therefore, to comply with City policy and ultimate protection, the engineer on the project ordered placement of the same.

The unit bid price of \$14.97/SY - 12" Thick was accepted by our Department, based on a comparison of all bids received for our grants. They ranged from \$6.00/ SY to \$50.00/SY., and the median price works out to be \$15/SY. Based on the above, we accepted \$14.97/SY.

Along with the above, it is common practice to surcharge the cut through the levee to offset any possible settlement in the future. This additional embankment amount to 100 CYS at \$1.50/CY.

Item No. 33 - Base Stabilization

During construction, there existed a few areas of excessive wetness which even with the dewatering also required the use of #2 stone for stabilization under the 48" concrete pipe. This stabilization was not concentrated to one isolated area, but occurred in a few pockets along or near river in Franke Park.

This unit price was established by the original bid for this project and is just an adjustment of quantity.

Item #39 - Raise Levee at St. Joe River

During the course of construction on the Spy Run Interceptor Interconnect, we experienced a heavy rainfall where the river rise was nearing the top of the area, and with an emergency situation at hand, the Chief Engineer ordered the contractor to raise and reinforce their levee cut. This action was deemed necessary because of a threat to the homes which exist in and around that area at Northside, Glazier, and Vance. This area also becomes a critical area not only jeopardizing those homes, but at this location, two other contracts join and their construction would also have been flooded and disrupted.

A breakdown of costs are attached. (Attachment "D").

A

SPY RUN STUDY AREA
C-180599-07, B.O. #16-80

RES. No. 323-80, C.O. #1

WAYNESFIELD CONST. CO., INC.

ITEM # 12 *

CITY OF FORT WAYNE

OUR TICKETS NO 13819 (CON ATTACHED)

LA
RA

	1	2	3	4	5	6	DATE
1	245 HOC.	4 1/2	110 "	495 "			6/18
2	OPER O.T.	1/2	25 "	72 "			9
3	OPER O.T.	1/2	15 "	70 "			L
4	LABORER	9	15 "	138 "			L
5	LABORER O.T.	1	19 "	19 "			L
6	J.D. 300	4	38 "	152 "			
7	FOREMAN	4 1/2	17 "	79 "			
8							
9							
10	SUB-TOTAL			905 "			✓
11							
12	3/4" x 12' CABLE	200	50 "	100 "			
13	CRANE MAT	100	600 "	600 "			
14	RIGID PIPE	2700	100 "	2700 "			
15							
16	SUB-TOTAL			3400 "			✓
17							
18							
19							
20			SUB-TOTAL	4305 "			✓
21			+ 15% P.A.	645 "			
22							
23				4951 "			✓
24			+ 10% P.A.	495 "			
25							
26							
27				5446 "			
28							
29							
30	* NON-GRANT FUNDABLE						
31							
32							

REWORK NORMAN STRUCTURE - REWORK G.I. AND NIPPLES REPAIR 24" PIPING

	1	2	3	4	5	6	7	8	9	10
	Fore.	245	225	1150	930	GENERATOR	4" PUMP	PIPE LAYERS	3" PUMP	COMP. BREAKS
17.	4	2	2	2	2	2	2	4		
18	16	8	8	8	8	8	8	16		
19	8	4	4	4	-	4	4	8	4	8
TOTALS	28	14	14	14	10	14	14	28	4	8
SUMMARY										
FOREMAN	28	17 ⁷²	496 ¹⁶							
245 HOE	14	110 ⁷	1540 ¹²							
225 HOE	14	70 ⁷	980 ¹²							
1150 DIGGER	14	55 ¹¹	770 ¹²							
930 LONAR	10	55 ¹¹	550 ¹²							
GENERATOR	14	8 ¹¹	112 ¹²							
4" PUMP	14	7 ¹¹	98 ¹²							
PIPE LAYERS	28	15 ³⁹	430 ¹²							
3" PUMP	4	7 ¹¹	28 ¹²							
COMPRESSOR-BACK	8	15 ¹¹	120 ¹²							
		SUB-TOTAL		5125 ⁰⁸						
CONCRETE										
4" PIPE	4	60 ¹²	240 ¹²							
24" PIPE	15	12 ¹²	180 ¹²							
G.I. NIPPLES	3	60 ¹²	180 ¹²							
REPAIR EX. PIPE	4	400 ¹²	400 ¹²							
		SUB-TOTAL		1000 ¹²						
TOTALS										
+ 15%				6125 ⁰⁸						
				918 ⁷⁶						
+ 10%				7043 ⁸⁴						
				704 ¹⁶						
				7748 ²²						
				TOTAL						

SPY RUN STUDY AREA
C-180599-07, B.O. # 16-80

RES. NO. 323-80, CO #1

WARRSFIELD CONST. CO., INC.

ITEM # 12

B

SPM

SPT RUN STUDY AREA
C-180599-07, B.O. #16-80

RES. No. 323-80, C.O. #1

WAYNESFIELD CONST. CO., INC.

Item # 12 *

Prepared By	Initials	Date
Approved By		

WALL POINT RENTALS

6/6/81 SIRE FLOODED BY CITY
6/29/81 BEGAN WALLPOINTING FRANK PARK
7/3/81 REMOVED POINTS ETC FROM SIRE
7/14/81 FRANK PARK DAY
7/24/81 HEAVY RAIN FLOODED EVERYTHING

PREPARER AVAILABLE TIME TO USE
WALL POINTS ABOUT ONE MONTH FROM
6/25/81 TO 7/24/81. PORTION OF SYSTEM
WAS USED IN FRANK PARK FOR S.S. NO. 17.
ASSUMING 15% OF SYSTEM USED FOR
ONE WEEK, SHUT DOWN FOR FESTIVAL
CAUSED \$3700.00 EXPENSE FOR RENTAL

15% OF \$4000.00/MO FOR ONE WEEK = \$600.00

\$4000.00
- 300.00

\$3700.00 EXCESS WALL POINT RENTAL

15% \$4000 = \$600

∴ \$4000 - \$600 = \$3400

gjm

* NON-GRANT ELIGIBLE

SPY RUN STUDY AREA

C-180599-07, B.O.# 16-80

Res. No. 323-80, C.O.#1

D

WAYNESFIELD CONST. CO., INC.

ITEM #39

CHARGES - 245 AND OPERATOR

RAISE DIKE AT: KASKASKA RIVER

Prepared By	Initials	Date
Approved By		

6	7	8	9	10	11	12	
DATE							
6/12/81							1
966 Hours	8	70 ²		560 ⁷			2
Laborer	8	18 ⁰		151 ²			3
Post O.T.	8	12 ⁰		102 ⁴			4
Labor O.T.	8	9 ⁴⁵		75 ⁶			5
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THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Room 122 — Ben Eisbart — Councilman, 4th District

January 13, 1982

Mr. Thomas Gallmeyer
Attorney-at-Law
Indiana Bank Building
Fort Wayne, IN 46802

RE: Zoning Ordinance
Bill No. Z-81-11-33

Dear Mr. Gallmeyer:

In response to your letter of January 12, 1982, Zoning Ordinance - Bill No. Z-81-11-33 will be brought before Common Council on January 19, 1982, at 7:00 P.M., in Room 128.

Respectfully yours,

Ben A. Eisbart
Councilman 4th District

LAW OFFICES

ROTHBERG, GALLMEYER, FRUECHTENICHT & LOGAN

SOL ROTHBERG
GEORGE E. FRUECHTENICHT
THOMAS D. LOGAN
PHILLIP E. GUTMAN
JOHN H. HEINEY
VERN E. SHELDON
DONALD M. AIKMAN
MARTIN T. FLETCHER

DAVID A. TRAVELSTEAD
RICHARD D. ROBINSON
THOMAS M. GALLMEYER
RICHARD E. FOX
RICHARD H. BLAICH
F. L. DENNIS LOGAN
SCOTT T. NIEMANN

AREA CODE 219
TELEPHONE 422-9454

INDIANA BANK BUILDING
FORT WAYNE, INDIANA
46802

THOMAS A. GALLMEYER
(1922-1981)

January 12, 1982

Mr. Ben Eisbart, Chairman
Regulations Committee
c/o Fort Wayne City Clerk
City-County Building
Fort Wayne, Indiana 46802

Re: Zoning Ordinance Amendment
Number Z-81-11-33
Petition for Hearing Before
Common Council of the City
of Fort Wayne

Dear Mr. Eisbart:

On January 5, 1982, Community Development and Planning forwarded to you a Resolution and one zoning ordinance acted upon by the City Plan Commission at their regular meeting held December 28, 1981. That Zoning Ordinance Amendment was Bill Number Z-81-11-33.

The Plan Commission's recommendation was do not pass.

On behalf of the Petitioner, Associates Bancorp, Inc., I am writing to request a hearing before the members of the Common Council of Fort Wayne with regard to said Zoning Ordinance Amendment prior to that body making its final decision.

Accordingly, would you please set a time for said hearing and notify the undersigned.

Sincerely yours,

ROTHBERG, GALLMEYER,
FRUECHTENICHT & LOGAN

Thomas M. Gallmeyer

TMG/slb

578

TITLE OF ORDINANCE Change Order #1, Spy Run Interconnect, Sewer Res.323-80, C-180599-07

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

282-01-07

SYNOPSIS OF ORDINANCE Change Order #1, Spy Run Interconnect, Sewer Res.323-80,

C-180599-07, Waynesfield Construction, Inc. - Contractor. These items are
compensation for additional requirements placed on the contractor in association with
the river crossing after the time of bid and additional items to protect the river
level where disturbed by construction thus assuring compliance with our DHR permit
to do work in the river.

EFFECT OF PASSAGE Continuation of the Spy Run Interconnect, Sewer Resolution 323-80.

EFFECT OF NON-PASSAGE The above described Change Order cannot occur.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) \$31,424.20 to be paid for as
follows: 75% EPA, 15% City Utilities, 10% State.

ASSIGNED TO COMMITTEE _____